

REMARKS

Applicant appreciates the Examiner's thorough review of the Application and the indication of allowable subject matter. Withdrawn claims 15 – 28 have been canceled without prejudice and without disclaimer. All claims are now in condition for allowance.

The Examiner has provisionally rejected Claims 1 – 14 under the nonstatutory obviousness-type double patenting (ODP) doctrine over Claims 1 – 12 of co-pending application 11/206,927. However, the present Application is the earlier filed of the two applications. MPEP § 804I(B)(1) states that "If 'provisional' ODP rejections in two applications are the only rejections remaining in those applications, the examiner should withdraw the ODP rejection in the earlier filed application thereby permitting that application to issue without need of a terminal disclaimer."

Applicant respectfully requests that the Examiner withdraw the ODP rejection in this earlier filed application and permit the Application to issue without the need of a terminal disclaimer.

## CONCLUSION

Withdrawal of the ODP rejection and issuance of the Application are respectfully requested.

Respectfully,



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